

Message Text

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APPROVED BY EUR - WELLS STABLER

EUR/TUR - R. S. DILLON

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SUBJECT: "UNITARY/FEDERAL" CONTROVERSY IN INTERCOMMUNAL
TALKS

1. SUMMARY: IN RESPONSE TO CURRENT DEBATE CONCERNING
WHETHER OR NOT A "UNITARY" STATE WAS THE BASIS FOR THE
INTERCOMMUNAL TALKS BEGUN IN 1968, DEPARTMENT HAS DONE
EXTENSIVE RESEARCH INTO THE FILES GOING BACK TO THAT DATE.
WE CONCLUDE THAT THE INITIATION OF THE INTERCOMMUNAL TALKS
WAS NOT BASED ON ANY SUBSTANTIVE EXPLICIT WRITTEN FORMULA.
IT IS, HOWEVER, CLEAR THAT DURING THE 1968-70 PERIOD THE
TURK CYPRIOTS AND PARTICULARLY THE GOT, MADE IT CLEAR IN
DIPLOMATIC EXCHANGES AND ON THE RECORD THAT THEY ACCEPTED
THE CONCEPT OF A "UNITARY" CYPRUS. PERHAPS UNSYG WALDHEIM
PUT IT MOST SUCCINCTLY IN A RECENT CONVERSATION WITH
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AMBASSADOR DAVIES AND COUNTRY DIRECTOR BOYATT WHEN
WALDHEIM STATED, "THE TURKS HAVE CHANGED THEIR POSITION."
DEPARTMENT CONTINUES TO BELIEVE THAT CURRENT "UNITARY/
FEDERAL" DEBATE IS STERILE AND THAT OUR APPROACH SHOULD

BE TO URGE THE PARTIES TO CONCENTRATE ON SUBSTANCE AND AVOID FUTILE ARGUMENTS OVER LABELS. IN VIEW OF THE CLAIMS AND COUNTERCLAIMS BY BOTH SIDES (MOST RECENTLY FORMULATED BY AMBASSADOR ROSSIDES AND OLCAI DURING AN EXTENDED DEBATE IN THE MAY 29 SECURITY COUNCIL MEETING) ADDRESSEES MAY BE INTERESTED IN THE FOLLOWING INVESTIGATION OF THE DEVELOPMENT OF THE "UNITARY" PRINCIPLE AND THE LOCAL TALKS.

2. BEGINNING OF THE TALKS IN 1968. THE INTERCOMMUNAL TALKS WERE FORMALLY BEGUN ON JUNE 3, 1968 AT A SERIES OF MEETINGS IN BEIRUT. AT A SECRET MAY 21 DINNER HOSTED BY UN SPECIAL REPRESENTATIVE OSORIO-TAFALL, THE PARTIES AGREED THAT THE NEGOTIATIONS WOULD BE LAUNCHED BY PROCEDURAL TALKS IN BEIRUT FOLLOWED BY SUBSTANTIVE TALKS IN NICOSIA ALTERNATING BETWEEN THE GREEK AND TURKISH SECTORS. THIS WAS THE SO-CALLED "OSORIO FORMULA" REFERRED TO IN THE UNSYG'S JUNE 1968 REPORT. DESPITE THEIR PUBLIC BILLING, THE BEIRUT TALKS DEALT EXTENSIVELY WITH SUBSTANCE. ACCORDING TO A REPORT PREPARED BY CLERIDES, DENKTASH OBSERVED THAT THE 1960 AGREEMENTS HAD NOT ADEQUATELY PROTECTED THE TURKISH CYPRIOTS. IF APPROPRIATE PROVISIONS FOR LOCAL GOVERNMENT AND THE PROTECTION OF THE ECONOMIC WELL-BEING OF THE TURKISH COMMUNITY COULD BE AGREED UPON, THE TURKS WOULD BE WILLING TO FOREGO MANY OF THE SPECIAL RIGHTS--PARTICULARLY THE VETOS--GRANTED TO THEM BY THE 1960 CONSTITUTION. ACCORDING TO THE SAME REPORT, DENKTASH "EMPHASIZED THAT HE WAS NOT SUGGESTING CANTONS BUT SOMETHING SIMILAR TO THE BRITISH SYSTEM OF BOROUGH OR COUNTRY COUNCIL, NOTING THAT NO ONE COULD FORM THE IMPRESSION THAT THE UK WAS NOT A UNITARY GOVERNMENT." COMMENT: DENKTASH'S STATEMENT INDICATES THAT EVEN AT THIS EARLY STAGE THE QUESTION OF A "UNITARY" GOVERNMENT WAS A MATTER OF CONCERN. DENKTASH'S STATEMENT IS CLEARLY DESIGNED TO ALLAY FEARS ON THIS SCORE. END COMMENT. CLERIDES RESPONDED THAT A SYSTEM OF LOCAL GOVERNMENT BASED ON "DISTRICTS WHICH BECAUSE OF LOCATION CAN BE MADE INTO UNITS OF LOCAL

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GOVERNMENT" WAS ACCEPTABLE AS LONG AS SUCH A SYSTEM WAS NOT BASED ON RACE, RELIGION OR OTHER COMMUNAL CRITERIA.

3. NOWHERE IN THE RECORD OF THIS FIRST PHASE OF THE TALKS DID THE TURKS EXPRESS EXPLICIT, POSITIVE SUPPORT FOR THE "UNITARY" PRINCIPLE PER SE. NEVERTHELESS, DENKTASH'S WILLINGNESS TO COMPROMISE ON SEVERAL KEY CONSTITUTIONAL ISSUES AND HIS REFERENCE TO THE UNITARY GOVERNMENT OF THE UK WERE INTERPRETED BY CLERIDES AND MAKARIOS AS CONSTITUTING TURKISH ACCEPTANCE OF THE "UNITARY" PRINCIPLE AND "AS THE FRAMEWORK IN WHICH FURTHER DISCUSSIONS CAN TAKE PLACE." MORE DETAILED SUBSTANTIVE TALKS COMMENCED IN NICOSIA AS PLANNED ON

JUNE 24, 1968. THE TURKS CONFIRMED THE CONCESSIONS THEY HAD MADE IN BEIRUT, BUT ON THE BASIS OF AVAILABLE EVIDENCE, DID NOT STATE AN EXPLICIT, POSITIVE ACCEPTANCE OF THE "UNITARY" PRINCIPLE.

4. TURKS ACCEPT "UNITARY" PRINCIPLE. LATER IN 1968 AND IN 1969 AND '70 VARIOUS TURKISH OFFICIALS EXPRESSED

ACCEPTANCE OF THE CONCEPT OF THE UNITARY STATE. IN SEPTEMBER 1968 GOT FOREIGN MINISTER EXPLICITLY INFORMED US AMBASSADOR HART THAT THE TURKISH SIDE ACCEPTED THE IDEA OF A UNITARY STATE BUT SAID THAT THE PROVISIONS FOR LOCAL AUTONOMY NEEDED TO BE CLEARLY DEFINED. ON MAY 20, 1969, TURK CYPRIOT VICE PRESIDENT KUCHUK IN A PUBLIC SPEECH ACCEPTED THE "UNITARY" PRINCIPLE BUT CLARIFIED THAT THE TURKISH CYPRIOTS HAD IN MIND A UNITARY STATE IN WHICH THEY WERE "PARTNER COMMUNITY." PERHAPS MOST IMPORTANTLY IN MID-SEPTEMBER 1970 TURKISH PRESIDENT SUNAY AND FOREIGN MINISTER CAGLAYANGIL MET PREMIER (LATER PRESIDENT) PAPADAPOLOUS AND FOREIGN MINISTER PIPINELIS. FOLLOWING THE MEETING, A COMMUNIQUE WAS ISSUED REFERRING TO THE INTERCOMMUNAL TALKS AND THE "PREDETERMINED FRAMEWORK OF AN INDEPENDENT AND UNITARY STATE" COMMENT: ON THE BASIS OF THE ABOVE THREE YEAR RECORD THE GOVERNMENTS OF CYPRUS AND GREECE BELIEVED THAT THE GOT AND THE TURK CYPRIOTS HAD COMMITTED THEMSELVES TO THE UNITARY CONCEPT.

5. THE UN FURTHERS UNITARY CONCEPT. IN HIS DECEMBER CONFIDENTIAL

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1970 REPORT THE UNSYG CITED THE GREEK/TURK COMMUNIQUE ON THE INTERCOMMUNAL TALKS AND THE PREDETERMINED FRAMEWORK OF AN INDEPENDENT AND UNITARY CYPRUS. BEGINNING IN MAY 1971 THE SYG URGED BOTH PARTIES TO WORK FOR AN AGREEMENT BASED "ON THE INDEPENDENCE AND SOVEREIGNTY OF A UNITARY STATE OF CYPRUS." LATER THIS WORDING WAS DEVELOPED INTO THE FAMILIAR "SOVEREIGN, INDEPENDENT AND UNITARY FORMULA". PERHAPS SIGNIFICANTLY, THE UNSYG ALWAYS REFERRED TO THIS FORMULA AS THE BEGIN UNDERSCORE AGREED BASIS OF A SOLUTION END UNDERSCORE RATHER THAN AS THE BEGIN UNDERSCORE AGREED BASIS OF THE TALKS END UNDERSCORE.

6. THE TURKS BACK OFF. AS THE TALKS DEVELOPED, PARTICULARLY WHEN THE PARTIES LOCKED HORNS ON THE HIGHLY SENSITIVE ISSUE OF LOCAL AUTONOMY, IT BECAME CLEAR TO THE TURKS THAT THERE WAS NO AGREED DEFINITION OF "UNITARY". ACCORDINGLY, THEY BACKED OFF THEIR POSITION BUT AVOIDED OUTRIGHT REJECTION OF THE TERM. NOT UNREASONABLY--FROM THEIR POINT OF VIEW--THEY ARGUED THAT THEY COULD NOT COMMIT THEMSELVES TO UNDEFINED TERMINOLOGY AND THAT, IN ANY CASE, THE BASIC QUESTION WAS THE ACTUAL FRAMEWORK OF THE STATE AND NOT THE LABEL. THUS, WHEN THE TALKS

WERE REACTIVATED IN JUNE 1972 FOLLOWING THE BREAKDOWN EARLIER IN THE FALL, THE TURKS CAREFULLY REFRAINED FROM ANY MENTION OF THE TERM "UNITARY", EITHER AS A GENERAL PRINCIPLE OR AS THE SPECIFIC BASIS OF THE TALKS. STRONG SUPPORT FOR THIS POSITION WAS PROVIDED IN THE SYG'S AIDE-MEMOIRE OF 18 MAY, 1972. AS REFERRED TO IN THE SYG'S MAY 72 REPORT, "... IT WAS THE DESIRE OF ALL CONCERNED

THAT THE REACTIVATED TALKS SHOULD CONTINUE AS HAD BEEN THE CASE SINCE 1968 TO BE BASED ON THE EQUAL STATUS OF THE REPRESENTATIVES OF THE TWO COMMUNITIES, TO BE EXPLORATORY IN NATURE, AND TO BE LIMITED TO THE INTERNAL SITUATION OF THE INDEPENDENT STATE OF CYPRUS..."

7. THE GOT ESPOUSES "FEDERALISM". WITH THE ADVENT OF THE ECEVIT GOVERNMENT VARIOUS TURKISH OFFICIALS HAVE PUBLICLY ESPOUSED A "FEDERAL" SOLUTION TO THE CYPRUS PROBLEM. THESE STATEMENTS HAVE BEEN "CLARIFIED" BY TURKISH ASSERTIONS THAT THEY WERE NOT CHANGING THEIR CONFIDENTIAL

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POLICY ON CYPRUS AND THAT THE IMPORTANT THING WAS TO CREATE AN ADMINISTRATIVE AND CONSTITUTIONAL FRAMEWORK ON THE ISLAND AND THEN TO WORRY ABOUT DESCRIBING IT. THE TURKISH ARGUMENT THAT THEIR SUPPORT FOR A "FEDERAL" SOLUTION DOES NOT CONSTITUTE A CHANGE IN POLICY IS DISINGENUOUS, TO SAY THE LEAST. PERHAPS THE TURKISH INITIATIVE IS TACTICAL, DESIGNED TO SET THE RECORD STRAIGHT REGARDING THE BASIS OF THE TALKS OR TO MAKE CLEAR THAT THEY WILL NOT BE RAILROADED INTO UNQUALIFIED ACCEPTANCE OF THE TERM "UNITARY". REGARDLESS OF MOTIVATIONS, GOT STATEMENTS REGARDING "FEDERALISM" CONTRADICT ASSURANCES FROM DENKTASH GIVEN IN THE BEIRUT TALKS AND MORE FULLY IN A LETTER DATED JUNE 24, 1969 THAT THE TURKS "HAVE NOT BEEN TRYING TO PASS OFF TO YOUR SIDE A 'FEDERAL' OR 'CANTONAL' SYSTEM UNDER THE GUISE OF LOCAL ADMINISTRATION."

8. COMMENT: THE TURKS ARE CORRECT IN ARGUING THAT THERE WAS NO EXPLICIT AGREED SUBSTANTIVE BASIS FOR THE TALKS WHEN THEY BEGAN IN JUNE 1968. THE GREEK/GREEK CYPRIOT SIDE IS CORRECT THAT THE TURKS PUBLICLY AND EXPLICITLY CONFIRMED THE "UNITARY" PRINCIPLE EARLY IN THE NEGOTIATIONS AND THEN LATER BACKED AWAY FROM IT. SUCH ACCEPTANCE, HOWEVER, WAS COUPLED WITH THE CLEAR QUALIFICATION THAT "UNITARY" HAD TO BE DEFINED AND THAT IN ANY CASE THE TURK CYPRIOTS DEMANDED PARTNERSHIP STATUS. THE BASIS ON WHICH THE TALKS WERE REACTIVATED IN JUNE OF 1972 AND THE PROPOSED BASIS ON WHICH THEY ARE TO BE RESUMED NEXT WEEK ALSO UNDERLINE THE TURKISH POSITION THAT THERE IS A PROCEDURAL BUT NOT SUBSTANTIVE BASIS FOR THE NEGOTIATIONS.

THE ARGUMENT OVER WHETHER OR NOT THERE WAS A "UNITARY" BASIS FOR THE TALKS IS BECLOUDED AND OVERTAKEN BY EVENTS. THE TURKISH INTERJECTION OF THE "FEDERALISM" ISSUE IS A DIFFERENT MATTER. IT IS ONE THING TO BACK OFF FROM THE TERM "UNITARY" FOR WHICH THERE WAS NO AGREED DEFINITION IN ANY CASE. BUT IT IS QUITE ANOTHER TO BEGIN ESPOUSING A "FEDERAL" SOLUTION, PARTICULARLY IN VIEW OF DENKTASH'S

1969 DISAVOWAL OF "FEDERALISM" AND IN VIEW OF THE GOVERNMENT OF CYPRUS POSITION, CLEAR FROM THE BEGINNING, CONFIDENTIAL

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THAT THEY WOULD NOT NEGOTIATE ON SUCH A BASIS. THUS, WHILE THE GOC IS ARGUABLY WRONG IN INSISTING THAT THE "UNITARY" PRINCIPLE IS THE BASIS OF THE LOCAL TALKS, IT APPEARS JUSTIFIED IN WONDERING WHETHER THE TURKS/TURK CYPRIOTS STILL SUPPORT THE TALKS.

9. DEPARTMENT CONTINUES TO BELIEVE THAT "UNITARY/FEDERAL" DEBATE IS STERILE AND THAT WE SHOULD URGE THE PARTIES TO CONCENTRATE ON SUBSTANCE, AVOIDING FUTILE ARGUMENTS OVER LABELS. IT MAY BE TOO LATE FOR SUCH EXHORTATIONS. IT LOOKS LIKE THE BASIC ISSUE OF THE DEGREE OF AUTONOMOUS ORGANIZATION THE TURK CYPRIOTS WILL HAVE IS OUT IN THE OPEN. THE TURK CYPRIOTS WANT A SOLUTION WHICH LEGITIMIZES THE DEFACTO SITUATION AND THE GREEK CYPRIOTS WILL NEVER ACCEPT THIS. IT SEEMS TO US QUITE POSSIBLE THAT THE LOCAL TALKS MAY NEVER BE RESUMED. IF THEY ARE, IT IS HARD TO SAY HOW ANY MEANINGFUL PROGRESS CAN BE MADE.

10. DEPARTMENT WOULD APPRECIATE POSTS VIEWS ON ABOVE COMMENTS. IT WOULD ALSO BE USEFUL TO HAVE YOUR VIEWS ON WHAT ACTIONS US SHOULD CONSIDER TO CONTAIN CYPRUS SITUATION IN THE EVENT THAT LOCAL TALKS ARE PERMANENTLY DISSOLVED. KISSINGER

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